

DRAFT – NEVER SENT OUT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. SACV 10-0711 DOC (ANx)

Date: September 25, 2014

Title: COBB, ET AL. v. BSH HOME APPLIANCES CO.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Goltz
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING PLAINTIFFS'
EX PARTE APPLICATION
REGARDING SCHEDULING
ORDER [303]**

Before the Court is Plaintiffs' Ex Parte Application Regarding Scheduling Order (Dkt. 303) and Defendant's Opposition (Dkt. 304). The parties dispute the interpretation of paragraphs 6 and 19 of their stipulated Scheduling Order (Dkt. 227). Plaintiffs argue that each party is limited to only one *Daubert* motion to exclude evidence at trial to address all of the other side's experts. Defendant argues that that limitation only applies to *Daubert* motions related to the parties' motions for summary judgment and motion to certify and that the parties are permitted to file one *Daubert* motion for each expert for trial.

The language, which the Court notes was drafted and stipulated to by the parties, is susceptible to both readings. Of the two options presented, the Court finds that Plaintiffs' reading better serves the interests of judicial economy. Thus, the Court STRIKES Defendant's eight *Daubert* motions (Dkts. 292-299) and ORDERS Defendant to submit a single consolidated *Daubert* motion not to exceed 25 pages on or before **October 6, 2014**.

UNITED STATES DISTRICT COURT
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CIVIL MINUTES – GENERAL

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In addition, the Court amends the June 30, 2014 Scheduling Order (Dkt. 227) as follows:

	Current Schedule	Revised Schedule
Hearing on Motions for Summary Judgment	November 3, 2014	November 17, 2014
Oppositions to <i>Daubert</i> Motions to Exclude Expert Testimony at Trial	October 27, 2014	November 24, 2014
Replies to <i>Daubert</i> Motions to Exclude Expert Testimony at Trial	November 10, 2014	December 5, 2014
Hearing on <i>Daubert</i> Motions to Exclude Expert Testimony at Trial	December 15, 2014, 8:30 a.m.	December 15, 2014, 8:30 a.m.

All other dates in the Scheduling Order shall remain the same.

The Clerk shall serve this minute order on all parties to the action.

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk: djg